

Agenda

City Council

Regular Session

MONDAY
March 17, 2003

8:00 – 10:00 p.m.
Council Chambers

Page

1. Call to Order
2. Roll Call, Flag Salute
 - (a) Bellevue Dream Elite Cheerleading Squad Award
3. Communications: Written and Oral

Note: Three-minute limit per person, or five minutes if representing the official position of a recognized organization. Maximum of three persons are permitted to speak to each side of any one topic. Additional presentations may be heard at Agenda Item 13, including three additional persons speaking to topics heard at Agenda Item 3.
4. Reports of Community Council, Boards and Commissions
5. Report of the City Manager
6. Council Business
7. Approval of the Agenda

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City Council meetings are wheelchair accessible. American Sign language (ASL) interpretation is available upon request. Please phone 452-6805 at least 48 hours in advance.



City of Bellevue

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8.	Consent Calendar		
(a)	Minutes of February 19, 2003 Special Meeting Minutes of February 24, 2003 Extended Study Session Minutes of March 3, 2003 Regular Session		
(b)	Motion to approve payment of claims for the period ending March 10, 2003 and payroll for the period February 16 through February 28, 2003.	FIN	<u>8-1</u>
(c)	Resolution No. 6822 authorizing the write-off of twenty uncollectible accounts totaling \$23,297.47.	FIN	<u>8-3</u>
	<i>(Council action postponed from March 3rd Consent Calendar.)</i>		
(d)	Resolution No. 6827 authorizing the execution of a 2002-2004 labor agreement between the City and the Bellevue Police Management Association (BPMA).	HR	<u>8-7</u>
(e)	Resolution No. 6828 authorizing the execution of an agreement to accept specific open space tracts from the Winfield Homeowners' Association pursuant to Council direction to pursue City ownership and management of Native Growth Protection Areas throughout Bellevue.	PARKS	<u>8-10</u>
(f)	Ordinance No. 5438 authorizing the execution of an agreement with the Tateuchi Foundation to accept grant funding for the development of the Tateuchi Viewing Pavilion at the Botanical Gardens; appropriating \$150,000 to the 2003-2004 General Fund Budget; and amending the Operating Budget adopted by Ordinance No. 5426.	PARKS	<u>8-21</u>
(g)	Ordinance No. 5439 amending Ordinance No. 5390 that annexed to the City a 5.62 acre parcel located at 6114 – 164 th Avenue SE. and known as the Cole Annexation to correct deficiencies in the legal description.	PCD	<u>8-27</u>

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(h) Motion to award Bid No. 0312 for the 2003 Street Overlay Program which includes pavement repair and the rehabilitation of curbs, gutters, and sidewalks in the <i>East Lake Hills</i> and <i>Northeast Bellevue neighborhoods</i> and on Bellevue Way from Main Street to NE 8 th Street in the amount of \$3,684,289.33 to Watson Asphalt Paving Company as low bidder. (CIP Plan Nos. PW-M-1 & PW-M-3)	TRAN	<u>8-31</u>
(i) Motion to approve Change Orders Nos. 1, 2, and 3 for the construction contract with KLB Construction, Inc. (Bid No. 0225) increasing the contract amount by \$359,950 to a total of \$3,942,291 for the Factoria Boulevard improvement project. (CIP Plan No. PW-R-116)	TRAN	<u>8-36</u>
<i>(Reviewed with Council at the March 10th Extended Study Session.)</i>		
(j) Resolution No. 6829 authorizing the execution of a consultant agreement to provide geotechnical engineering services for the City-owned rockeries reconstruction program with Zipper Zeman Associates, Inc. in an amount not to exceed \$69,618. (CIP Plan No. PW-M-12)	TRAN	<u>8-41</u>
(k) Resolution No. 6830 authorizing execution of a professional services agreement with Diamond Parking, Inc. for the enforcement of on-street parking and off-street handicap parking in the Downtown in the amount of \$142,992 for two years, with an option for an additional two years in the amount of \$140,556.	TRAN	<u>8-46</u>
(l) Resolution No. 6831 the execution of a consultant agreement with INCA Engineers, Inc. for engineering services to prepare a single set of plans, specifications, and estimates that coordinate all infrastructure issues, including BP/Olympic Pipeline, water, sewer, and salmon recovery, to consolidate the Kamber Road roadway improvements and the Richards Creek culvert reconstruction projects in an amount not to exceed \$168,960. (CIP Plan Nos. PW-R-102 & D-71)	TRAN	<u>8-51</u>

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(m) Resolution No. 6832 authorizing the execution of an agreement to relinquish certain access easement rights in favor of a new access easement for property located at 16262 SE 24 th Street.	UTIL	<u>8-58</u>
(n) Ordinance No. 5440 regarding eligibility for service on the City's Human services Commission; and amending Bellevue City Code Section 3.61.030A.	CCO	<u>8-63</u>
9. Public Hearings		
* (a) Limited public hearing on the appeal of T-Mobile (formerly VoiceStream) for a conditional use permit to replace a 68-foot high pole topped by three T-Mobile antennas co-located above existing AT&T antennas at the power substation near the corner of 156 th Avenue SE and SE 16 th Street. (File No. 01-119261)	HE	<u>9-1</u>
<i>(This is a Process III application because the site is located in the East Bellevue Community Council area. Under Process III, the Hearing Examiner provides a written recommendation to Council, which is the decision body. Should Council approve the application, the matter will be heard by EBCC. Should Council deny the application, the decision is appealable to Superior Court.)</i>		
(1) Limited public hearing rules and procedures	LEGAL R. Andrews	<u>9-8</u>
(2) Staff Report	PCD Kate Berens	<u>9-9</u>
(3) Motion to open the limited public hearing		
(4) Testimony from applicant/appellant (T-Mobile) and respondents		

Note: Presentation of oral arguments on the recommendation of the Hearing Examiner that the appeal of and the application by T-Mobile be denied is limited by Council Rules to 15 minutes for the applicant/appellant and 15 minutes for the respondents on information included in the record before the Hearing Examiner only.

(5) Motion to close the limited public hearing

(6) Council discussion and decision

(Council may:

- *Deny the appeal and the application as recommended by the Hearing Examiner;*
- *Grant the appeal in whole or in part, with or without modifications; or*
- *Remand the matter to the Hearing Examiner; or*
- *Postpone the decision and request further analysis by staff.)*

10. Land Use

11. Other Ordinances, Resolutions and Motions

12. Unfinished Business

13. Continued Oral Communications

14. New Business

15. Executive Session

16. Adjournment

*Quasi-judicial matters are those in which the Councilmembers sit as "judges" to decide issues involving specifically identified property or other rights between individuals or parties. This is as opposed to the Council's usual role of acting in a legislative or policy-making capacity.